

**United States District Court
for the Northern District of Texas**

Fort Worth Division

United States of America,
Plaintiff,

v.

Fidel Giron

Defendant.

FCI Oakdale, LA

Place of Confinement

35468-177

Prisoner ID Number

4:06-Cr-122-A(01)

Criminal Case Number

Defendant's Motion and Questionnaire for Reduction of Sentence
Pursuant to 18 U.S.C. § 3582(c)

Instructions - Read Carefully

1. This form motion should only be used when requesting that your sentence be reduced based upon Amendment 782 to USSG § 1B1.10 which is effective November 1, 2014. The Amendment reduces the base offense level in the drug quantity tables at USSG §§ 2D1.1 and 2D1.11 and retroactively applies to cases sentenced prior to November 1, 2014.
2. This motion must be legibly handwritten or typewritten. All questions must be briefly answered in the proper space on the form.
3. When the motion is fully completed, the original and two copies must be mailed to the Clerk of the United States District Court for the Northern District of Texas at the appropriate divisional office, whose address is:

Abilene Division

P.O. Box 1218
Abilene, TX 79604

Amarillo Division

205 E. 5th
Amarillo, TX 79101

Dallas Division

1100 Commerce, Rm 14A20
Dallas, TX 75242

Fort Worth Division

501 W. 10th Street
Fort Worth, TX 76102

Lubbock Division

1205 Texas Ave., #C209
Lubbock, TX 79401

San Angelo Division

33 East Twohig
San Angelo, TX 76903

Wichita Falls Division

P.O. Box 1234
Wichita Falls, TX 76307

4. Questionnaires that do not follow these instructions will be returned, and the mistake will be identified.

Questionnaire

1. Name and location of court that entered the sentence that you are asking to reduce:

Northern District of Texas, Fort Wort Division

2. Date(s) of sentence and judgment of conviction:

11-03-2006

3. Are you currently in prison for this sentence?

Yes No

4. If so, when is your projected date of release?

11-03-2021

5. Some programs offered by the Bureau of Prisons (BOP), can reduce the length of time you would spend in custody. An example of one of these programs is completion of the Residential Drug Abuse Program. Are you participating in one of these programs and, if so, when will you complete the program?

6. Are you currently on supervised release? Yes No

7. Are you currently in prison because you violated your supervised release ?

Yes No

8. Is your case currently on appeal? Yes No

9. Offense(s) for which you were convicted (all counts):

21 U.S.C. § 841(a)(1) & (b)(1)(B), possession of a control

Substance with Intent to Distribute. And 18 U.S.C. § 924(c).

possession of a firearm in furtherance of a drug trafficking crime.

10. Did your offense of conviction involve manufacture, distribution, dispensing, or possession with intent to manufacture, distribute, or dispense, a controlled substance?

Yes No Don't know

11. In calculating the applicable sentencing guideline range, did the Court refer to the offense levels for controlled substances found in the drug quantity table of section 2D1.1(c) of the United States Sentencing Guidelines?

Yes No Don't know

12. Was your sentence based on an agreement with the Government for a specific sentence?

Yes No Don't know

13. List any good conduct that occurred after your original sentencing hearing that you would like the Court to know in deciding whether you should receive a sentence reduction (for example, participating in a drug treatment program, or completing your GED or another degree).

Giron has a good work report during his incarceration
and has completed many education courses, see progress
report attached hereto.

I pray that the Court grant me relief to which I may be entitled in this proceeding.

Respectfully submitted this November 13, 2014.

Fidel Giron
Signature of Defendant

Fidel Giron

Printed Name

35468-177

BOP No.

FCI

Federal Correctional Institution (if applicable)

P.o. Box 5010

Address

Oakdale, LA 71463

City, State & Zip Code

Department of Justice
INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons
PROGRESS REPORT: 11-10-2014

Commensurate: [Y,N]
 Missed: [Y,N]

Judicial Recommendations: none / none / none

Special Conditions of If deported, shall not enter the US illegally.
 Supervision:

USPO Mitsi Westendorff, Chief
Sentencing: Texas Northern Probation Office
 Earle Cabell Federal Building and United States
 Courthouse
 1100 Commerce Street Room 1329
 Dallas, TX 75242
Phone/Fax: 214-753-2500 / 214-753-2570

USPO [POC]
Relocation: [District]
 [Street Address/Suite]
 [City], [State] [Zip]
Phone/Fax: [Phone] / [Fax]

Subject to 18 U.S.C. 4042(B) Notification: Y
 • Current conviction for a crime of violence (state and federal)
 • Conviction for a drug trafficking crime (federal)

DNA Required: Y - 07-30-2010
Subject to Sex Offender Notifications: N
Treaty Transfer Case: Y

Profile Comments:

EDUCATION DATA

Facility	Assignment	Description	Start Date	Stop Date
OAD	GED HAS	COMPLETED GED OR HS DIPLOMA	09-02-2014	CURRENT
OAD	ESL EXEMPT	ESL NEED-PERMANENTLY EXEMPT	02-08-2007	CURRENT

COMPLETED EDUCATION COURSES

Course Description	Completion Date	Course Hours
ACE VIDEO VIETNAM 1	07-10-2012	10
CLEANING SERVICE FOR HOMES	12-16-2011	10
OWN & OPERATE HAIR SALON	12-15-2011	10
ACE ROOF CONTRACTING	12-12-2011	10
AUTO DETAILING SERVICE	12-07-2011	10
BUSINESS PLANNING W 6P-8P	12-06-2011	10
BEGINNING MATH STUDY SKILLS	10-24-2011	10
ACADEMIC1	10-05-2011	8
ADVANCED CALISTHENICS	03-29-2011	33
ESL CLASSROOM #4 2:00-3:30	07-28-2009	464
ESL CLASSROOM #1 2:00-3:30	07-27-2009	0
VT ESL B 9:30-11:00 AM	11-05-2008	0
1 X PER QTR HLTH INFO	06-28-2008	2
ELECTRICAL SOLDERING UNICOR PM	01-10-2008	100

HIGH TEST SCORES

Test	Subtest	Score	Test Date	Test Facil	Form	State

Name: GIRON, FIDEL

RegNo: 35468-177

CASAS	READ PLACE	192.00	06-13-2007	BIG	1	
CASAS	READ LEV A	202.00	06-10-2008	BIG	A32	
CASAS	LIST PLACE	209.00	06-13-2007	BIG	1	
SABE/2	READ COMP	2.80	05-11-2007	BIG	#####	

WORK DATA

Facility	Assignment	Description	Start Date	Stop Date
OAD	UP CMPD AM	UPPER CMPD AM	05-15-2014	CURRENT

WORK HISTORY

Facility	Assignment	Work Assignment Description	Start Date	Stop Date
BIG	SS ORD 2EW	SUNSET ORDERLY EVENING WATCH	05-15-2012	03-24-2014
BIG	CP AM	COMPOUND AM ORD	04-30-2012	05-15-2012
BIG	SS ORD 2EW	SUNSET ORDERLY EVENING WATCH	09-09-2010	04-30-2012
BIG	SS ORD 2DW	SUNSET ORDERLY DAY WATCH	10-13-2009	09-09-2010
BIG	SS2 GNDORD	SUNSET GROUND ORD 2ND FLOOR	09-01-2009	10-13-2009
BIG	CABLE 9AM	A.M. CABLE 9 WORKER	05-04-2009	09-01-2009
BIG	R & D ORD	R & D ORDERLY	03-15-2009	05-04-2009
BIG	SS UNASSG	SUNSET UNASSIGNED	03-11-2009	03-15-2009
BIG	FD SVC AM	FOOD SERVICE AM	03-09-2009	03-11-2009
BIG	FD SVC PM	FOOD SERVICE PM	03-09-2009	03-09-2009
BIG	CABLE 9	CABLE 9	06-01-2007	03-09-2009
BIG	R & D ORD	R & D ORDERLY	02-01-2007	06-01-2007
BIG	SS 2GN ORD	SUNSET 2ND FLOOR GRND ORD	01-05-2007	02-01-2007
FTW	ORD JAIL	JAIL ORDERLY	09-14-2006	12-20-2006

DISCIPLINE HISTORY

UDC / DHO	Hearing Date	Report No.	Prohibited Act / Description	Sanction
Inmate has no disciplinary history items in this area				

MOVEMENT DATA

Facility	Assignment	Description	Start Date	Stop Date
OAD	A-DES	DESIGNATED, AT ASSIGNED FACIL	04-17-2014	CURRENT

MOVEMENT HISTORY

Facility	Assignment	Start Date	Stop Date
BIG	DESIGNATED, AT ASSIGNED FACIL	01-05-2007	03-24-2014

Name: GIRON, FIDEL

RegNo: 35468-177

VOCATIONAL/CAREER * Disregard Response Summary and utilize only the Progress & Goals section *****

Status	Response Summary
 EMPLOYMENT HISTORY	<p>(① employed at time of arrest (⊖ no consistent history of employment 5 years prior to incarceration (① sporadic history of employment (frequent, non-promotional job changes)</p>
 CAREER DEVELOPMENT	<p>(⊕ possesses significant expertise in field (① Other, specify.... Laborer</p> <hr/> <p>(① realistic career/job goals upon release (① seeking position: Laborer (⊕ has more than two years work experience in this field (⊖ does not have an education degree related to this field</p>
 INSTITUTION WORK HISTORY	<p>(⊕ has a consistent institution work history Eval: 02-28-2014 Good Eval: 01-31-2014 Good Eval: 12-31-2013 Good Eval: 10-29-2013 Good Eval: 09-30-2013 Good Eval: 08-31-2013 Good</p>
 POST INCARCERATION EMPLOYMENT	<p>(⊖ post-incarceration employment not secured (① unable to locate employment</p> <hr/> <p>(⊖ no release documents obtained to date</p>

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 11-10-2014

CASE MANAGEMENT ASSIGNMENTS				
Facility	Assignment	Description	Start Date	Stop Date
OAD	ITTMX US D	ITT MX US DENIED TRTY TRANS	04-16-2012	CURRENT
OAD	CFSR	CERT FOOD SINCRITY REMOVAL	04-01-2009	CURRENT
OAD	V94 CVA913	V94 CURR VIOL ON/AFTER 91394	07-10-2008	CURRENT
OAD	IHP PART	INS INST HRNG PGM PARTICIPANT	01-31-2007	CURRENT
OAD	V94 CDA913	V94 CURR DRG TRAF ON/AFT 91394	01-31-2007	CURRENT
OAD	RPP INELIG	RELEASE PREP PGM INELIGIBLE	01-31-2007	CURRENT

MEDICAL DUTY STATUS ASSIGNMENTS				
Facility	Assignment	Description	Start Date	Stop Date
OAD	LOWER BUNK	LOWER BUNK REQUIRED	04-28-2014	CURRENT
OAD	REG DUTY	NO MEDICAL RESTR--REGULAR DUTY	06-02-2006	CURRENT
OAD	YES F/S	CLEARED FOR FOOD SERVICE	06-02-2006	CURRENT



35468-177
Us Dist Court
Dallas Division R14a20
1100 Commerce ST
Dallas, TX 75242
United States